

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN MARIANA ISLANDS

CR-08-00010-001

June 10, 2008
9:15 a.m.

UNITED STATES OF AMERICA -v- ROSE MAYO OMAR REYES

PRESENT: HON. ALEX R. MUNSON, Chief Judge Presiding
SANAE SHMULL, Court Reporter
K. LYNN LEMIEUX, Courtroom Deputy
ERIC O'MALLEY, Assistant U. S. Attorney
F. MATTHEW SMITH, Counsel for Defendant
ROSE MAYO OMAR REYES, Defendant

PROCEEDING: SENTENCING

Defendant was present with her counsel, Attorney Matthew Smith. Government by Eric O'Malley, AUSA. Also present was U.S. Probation Officer, Melinda Brunson.

At this time, there are no objections by the government and defendant to the pre-sentence report and addendum.

Court adopted the presentence investigation report and instructed the Clerk to file the report and addendum, under seal, and that the report, and the addendum, be made available if the judgment is appealed. The probation officer's recommendation shall also be placed under seal. No objection by the parties.

Defendant made her elocution.

SENTENCE: Pursuant to the Sentencing Reform Act of 1984, it is the judgment of the Court that the defendant **ROSE MAYO OMAR REYES** is hereby sentenced to **2 years** probation which will include the following conditions:

1. The defendant shall not commit another federal, state, or local crime;
2. The defendant shall comply with the conditions of Probation as adopted by this Court;
3. The defendant shall be prohibited from possessing a firearm or other dangerous weapon, as defined by federal, state, or local law, or have such weapon where she resides;
4. That the defendant shall not unlawfully use and possess a controlled substance, and she shall submit to up to eight drug tests a month;

5. That the defendant shall refrain from the use of any and all alcoholic beverages;
6. That the defendant shall participate in a program approved by the U.S. Probation Office for substance abuse, which program may include testing to determine whether the defendant has reverted to the use of drugs or alcohol. The defendant shall also make co-payment for the program at a rate to be determined by the U.S. Probation Office;
7. The defendant shall complete 100 hours of community service under the direction of the U.S. Probation Office.
8. That the defendant shall obtain and maintain gainful employment and shall report to the U.S. Probation Office as to her job applications; and
9. That the defendant shall obtain a GED or high school diploma equivalent.

Pursuant to U.S.S.G. § 5E1.2(e), all fines are waived since it has been determined that the defendant does not have the ability to pay.

It is further ordered that the defendant pay to the United States a special assessment fee of \$10 to be paid immediately after sentencing.

No objection to the sentence by the attorneys. Defendant was advised that she had previously waived her right to appeal the sentence in this case but that if she or her attorney find any other reason in which to appeal that she had ten days in which to do so. Further, the defendant was advised of her right to an attorney for appeal and that the Court will appoint an attorney if she could not afford one.

Attorney Smith moved that the defendant be allowed to pay her \$10 assessment fee tomorrow. Court so ordered.

Adj. 9:40 a.m.

/s/ K. Lynn Lemieux, Courtroom Deputy